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Improving Government Regulations; Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Department of Defense (DoD).

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda announces the regulatory actions the Department of Defense (DoD) plans to take in the next 12 months and those regulatory actions completed since the publication of the spring 2022 Unified Agenda. It was developed under the guidelines of Executive Order 12866, "Regulatory Planning and Review," and Executive Order 13563, "Improving Regulation and Regulatory Review." This agenda includes regulatory actions that support the Administration's regulatory priorities, the Secretary of Defense's top priorities to defend the Nation, take care of our people, and succeed through teamwork, as well as those priorities of the National Defense Strategy. These actions include efforts to promote the country's economic resilience, including addressing COVID-related and other healthcare issues; support underserved communities and improve small business opportunities; promote competition in the American economy; promote diversity, equity, inclusion, and accessibility in the Federal workforce; support national security efforts, especially safeguarding Federal Government information and information technology systems; support the climate change emergency; and address military family matters. Members of the public may submit comments on individual proposed and interim final rulemakings at www.regulations.gov during the comment period that follows publication in the **Federal Register**.

This agenda updates the report published on August 8, 2022, and includes regulations expected to be issued and under review over the next 12 months. The next agenda will publish in the spring of 2023.

The complete Unified Agenda will be available online at www.reginfo.gov.

In accordance with the Regulatory Flexibility Act (5 U.S.C. 602), which requires agencies to publish its regulatory flexibility agendas in the **Federal Register**, the Department of Defense's printed agenda entries in the **Federal Register** include only:

- (1) rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and
- (2) Any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Although printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's agenda requirements, additional information on these entries is in the Unified Agenda available online.

FOR FURTHER INFORMATION CONTACT: For information concerning the overall DoD regulatory program and for general semiannual agenda information, contact Ms. Patricia Toppings, telephone 571-372-0485, or write to Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 1155 Defense Pentagon, Washington, DC 20301-1155, or e-mail: patricia.l.toppings.civ@mail.mil.

For questions of a legal nature concerning the agenda and its statutory requirements or obligations, write to Office of the General Counsel, 1600 Defense Pentagon, Washington, DC 20301-1600, telephone 703-695-1853, or e-mail: gerald.j.dziecichowicz.civ@mail.mil.

For general information on Office of the Secretary regulations, other than those that are procurement-related, contact Ms. Patricia Toppings, telephone 571-372-0485, or write to Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 1155 Defense Pentagon, Washington, DC 20301-1155, or e-mail: patricia.l.toppings.civ@mail.mil.

For general information on Office of the Secretary regulations that are procurement-related, contact Ms. Jennifer Johnson, telephone 571-372-6100, or write to Office of the Under Secretary of Defense for Acquisition and Sustainment, Defense Pricing and Contracting, Defense Acquisition Regulations System,

Room 3B941, 3060 Defense Pentagon, Washington, DC 20301-3060, or e-mail:

jennifer.d.johnson1.civ@mail.mil.

For general information on Department of the Army regulations, contact Mr. James "Jay" Satterwhite, telephone 571-515-0304, or write to the U.S. Army Records Management and Declassification Agency, ATTN: AAHS-RDO, Building 1458, 9301 Chapek Road, Ft. Belvoir, VA, 22060-5605, or e-mail: james.w.satterwhite.civ@mail.mil.

For general information on the U.S. Army Corps of Engineers regulations, contact Ms. Stacey Jensen, telephone 703-695-6791, or write to Office of the Assistant Secretary of the Army (Civil Works), 108 Army Pentagon, Room 3E441, Washington, DC 20310-0108, or e-mail: stacey.m.jensen.civ@mail.mil.

For general information on Department of the Navy regulations, contact LCDR Abigail Holt, telephone 703-614-6005, or write to Department of the Navy, Office of the Judge Advocate General, Administrative Law Division (Code 13), Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066, or e-mail: abigail.r.holt2.mil@us.navy.mil.

For general information on Department of the Air Force regulations, contact Mr. Tommy Lee, telephone 703-695-6609, or write the Office of the Secretary of the Air Force, Chief, Information Dominance/Chief Information Officer (SAF CIO/A6), 1800 Air Force Pentagon, Washington, DC 20330-1800, or e-mail: usaf.pentagon.saf-cio-a6.mbx.af-foia@mail.mil.

For specific agenda items, contact the appropriate individual indicated for each regulatory action.

SUPPLEMENTARY INFORMATION: This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions reports on actions planned by the Office of the Secretary of Defense, the Military Departments, the Office of the Under Secretary of Defense for Acquisition and Sustainment for procurement-related actions, and the U.S. Army Corps of Engineers.

This agenda also identifies rules impacted by the:

a. Regulatory Flexibility Act.

- b. Paperwork Reduction Act of 1995.
- c. Unfunded Mandates Reform Act of 1995.

Generally, rules discussed in this agenda will contain five sections: (1) pre-rule stage; (2) proposed rule stage; (3) final rule stage; (4) completed actions; and (5) long-term actions. Where certain regulatory actions indicate that small entities are affected, the effect on these entities may not necessarily have significant economic impact on a substantial number of these entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)).

The publishing of this agenda does not waive the applicability of the military affairs exemption in section 553 of title 5 U.S.C. and section 3 of Executive Order 12866.

Dated: September 30, 2022.

Joo Y. Chung,

*Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency,
Department of Defense.*

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
283	Cybersecurity Maturity Model Certification (CMMC) Program (Reg Plan Seq No. 21)	0790-AL49

References in boldface appear in The Regulatory Plan in part II of this issue of the **Federal Register**.

Defense Acquisition Regulations Council—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number

284	Assessing Contractor Implementation of Cybersecurity Requirements (DFARS Case 2019-D041) (Reg Plan Seq No. 24)	0750-AK81
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References in boldface appear in The Regulatory Plan in part II of this issue of the **Federal Register**.

Office of Assistant Secretary for Health Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
285	TRICARE Reimbursement of Ambulatory Surgery Centers and Outpatient Services Provided in Cancer and Children's Hospitals (Reg Plan Seq No. 39)	0720-AB73

References in boldface appear in The Regulatory Plan in part II of this issue of the **Federal Register**.

Department of Defense (DOD)	Proposed Rule Stage
Office of the Secretary (OS)	

283. CYBERSECURITY MATURITY MODEL CERTIFICATION (CMMC) PROGRAM [0790-AL49]

Regulatory Plan: This entry is Seq. No. 21 in part II of this issue of the **Federal Register**.

RIN: 0790-AL49

Department of Defense (DOD)	Proposed Rule Stage
Defense Acquisition Regulations Council (DARC)	

284. ASSESSING CONTRACTOR IMPLEMENTATION OF CYBERSECURITY REQUIREMENTS (DFARS CASE 2019-D041) [0750-AK81]

Regulatory Plan: This entry is Seq. No. 24 in part II of this issue of the **Federal Register**.

RIN: 0750-AK81

Department of Defense (DOD)	Final Rule Stage
Office of Assistant Secretary for Health Affairs (DODOASHA)	

**285. TRICARE REIMBURSEMENT OF AMBULATORY SURGERY CENTERS AND OUTPATIENT
SERVICES PROVIDED IN CANCER AND CHILDREN'S HOSPITALS [0720-AB73]**

Regulatory Plan: This entry is Seq. No. 39 in part II of this issue of the **Federal Register**.

RIN: 0720-AB73

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